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*MI. AL. IN Bar Only

TECHNICAL SPECIALISTS
DENNIS J. DUPRAY, Ph.D.
ANGELA K. DALLAS, Ph.D.

October 24, 2002

FACSIMILE COVER SHEET

Please deliver the following pages to:

Name: Examiner Dao L. Phan
U.S. Patent and Trademark Office

Group Art Unit: 3662

Facsimile No. (703) 306-4195

Our File No. 1005-DJD

Application Serial No. 09/176,587

Total No. Pgs., incl. cover 12

Sender's Name: Dennis J. Dupray, Ph.D.

Special Instructions: As per a conversation with the Examiner on October 23, 2002, attached is a copy of two Information Disclosure Statements previously filed for the above-identified patent application, which apparently have not been considered.

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OCT 24 2002

GROUP 3600

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*Copy of paper
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:)
DUPRAY)
Serial No.: 09/176,587)
Filed: October 21, 1998)
Atty. File No.: 1005-DJD)
For: "A WIRELESS LOCATION SYSTEM)
FOR CALIBRATING MULTIPLE)
LOCATION ESTIMATORS")

Group Art Unit: 3662
Examiner: Dao L. Phan
INFORMATION DISCLOSURE
STATEMENT
Express Mail Label: EL417660710US
EL417660710US

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner.

Copies of the cited references:

☐ Are enclosed herewith.

☒ Are not enclosed, in accordance with 37 C.F.R. 1.98(d), because the references were submitted to the U.S. Patent and Trademark Office in prior application Serial No. 09/194,367 filed November 24, 1998, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

☐ To the best of applicants' belief, the pertinence of the foreign-language references are believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.

☒ Examiner's attention is drawn to the following co-pending applications, copies of which have been or are being submitted:

Serial No. 09/194,367 filed November 24, 1998

Serial No. 09/770,838 filed January 26, 2001

Serial No. 09/820,584 filed March 28, 2001

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should

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an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

FEES

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|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <p>37 CFR 1.97(b): No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is satisfies one of the following conditions ("X" indicates satisfaction):</p> <ul style="list-style-type: none"><input type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or<input type="checkbox"/> Within three months of the date of entry into the national stage of an International application as set forth in 37 CFR 1.491 or<input type="checkbox"/> Before the mailing date of a first Office Action on the merits, or<input checked="" type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p> |
| <input type="checkbox"/> | <p>37 CFR 1.97(c): The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <ul style="list-style-type: none">(1) a final action under 37 C.F.R. 1.113 or(2) a notice of allowance under 37 C.F.R. 1.311, or(3) an action that otherwise closes prosecution in the application. <p>This Information Disclosure Statement is accompanied by:</p> <ul style="list-style-type: none"><input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(c). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"><input type="checkbox"/> A check in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. |
| <input type="checkbox"/> | <p>37 CFR 1.97(d): This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <ul style="list-style-type: none"><input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e) <p style="text-align: center;">AND</p> <ul style="list-style-type: none"><input type="checkbox"/> Applicant hereby requests consideration of the reference(s) disclosed herein. Enclosed is the fee in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. <p>Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.</p> |

Certification (37 C.F.R. 1.97(e))
(Applicable only if checked)

☐ The undersigned certifies that:

☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

☐ A copy of the communication from the foreign patent office is enclosed.

OR

☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

SHERIDAN ROSS, P.C.

By: 

Dennis J. Duplay
Registration No. 46,299
1560 Broadway, Suite 1200
Denver, CO 80202-5141
TELEPHONE: 303-863-2975
FAX: 303-863-0223

Date: June 26, 2002
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|--|---------------------------------|--------------------------|
| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | ATTY. DOCKET NO. 1005-DJD | SERIAL NO. 09/178,587 |
| | APPLICANT DUPRAY | |
| | FILING DATE October 21, 1998 | GROUP ART 3662 |

→ duplicate of IDS filed on 6/26/02

U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROP. |
|----------------------|----|--------------------|------------|------------------|-------|--------------|---------------------------|
| | 1 | 6,308,072 | 10/23/2001 | Labedz et al. | 455 | 448 | |
| | 2 | 6,081,084 | 5/9/2000 | Reichlen | 345 | 418 | |
| | 3 | 5,914,675 | 8/22/1998 | Tognazzini | 340 | 889 | |
| | 4 | 5,835,857 | 11/10/1998 | Otten | 455 | 410 | |
| | 5 | 5,790,974 | 8/4/1998 | Tognazzini | 701 | 204 | |
| | 6 | 5,729,549 | 3/17/1998 | Kostreski et al. | 370 | 522 | |
| | 7 | 5,727,057 | 3/10/1998 | Emery et al. | 379 | 211 | |
| | 8 | 5,594,740 | 1/14/1997 | LaDua | 379 | 59 | |
| | 9 | 5,581,704 | 10/1/1998 | Salimando | 379 | 58 | |
| | 10 | 5,515,378 | 5/7/1998 | Roy, III et al. | 370 | 95.1 | |

FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRANSLATION | |
|--|----|--------------------|---------------|---------|-------|--------------|-------------|----|
| | | | | | | | YES | NO |
| | 11 | EP 0 870 203 B1 | Dec. 9, 1998 | Europe | G01S | 5/04 | | |
| | 12 | WO 98/00982 | Jan. 8, 1998 | PCT | H04Q | | | |
| | 13 | WO 97/38540 | Oct. 16, 1997 | PCT | H04Q | 7/22 | | |
| | 14 | WO 97/28750 | Jul. 24, 1997 | PCT | H04M | 11/00 | | |
| | 15 | WO 97/24010 | Jul. 3, 1997 | PCT | H04Q | 7/38 | | |
| | 16 | WO 97/22888 | Jun. 25, 1997 | PCT | G01S | 5/04 | | |

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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| FORM PTO-1449 | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTY. DOCKET NO. 1005-DJD | SERIAL NO. 09/176,687 |
| INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | | APPLICANT DUPRAY | |
| | | FILING DATE October 21, 1988 | GROUP ART 3662 |

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

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| <p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p> | |

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Application Docket No.: 1005-DJD

Applicant: DUPRAY

Title or Mark:

Initial: CCR

Date:

Serial/Reg. No.

PTO Stamp indicates receipt of:

☒ Patent Matter ☐ Trademark Matter

Filed/Issued:

Application Docket No.: 1005-DJD

☐ Certificate of Mailing

Applicant: DUPRAY

☒ Express Mail

Title or Mark: "A WIRELESS LOCATION SYSTEM FOR CALIBRATING MULTIPLE LOCATION ESTIMATORS"

☐ Check for \$

Serial/Reg. No.: 09/176,587

Filed/Issued Date: October 21, 1998

☐ Certificate of Mailing

☒ Express Mail No.: EL417660710US

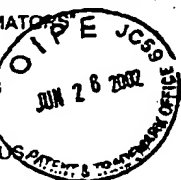
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LIST ALL DOCUMENTS BEING SENT TO PATENT OFFICE:

Information Disclosure Statement

Form PTO-1449

No References (Refs. submitted in prior application.)



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SHERIDAN ROSS
No. of Pages in Specification
No. of Pages in Claims
No. of Sheets of Drawings

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

DUPRAY

Serial No.: 09/176,587

Filed: October 21, 1998

Atty. File No.: 1005-DJD

For: "A WIRELESS LOCATION SYSTEM
CALIBRATING MULTIPLE
LOCATION ESTIMATORS"Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

Group Art Unit: 3662

Examiner: Dao Phan

**INFORMATION DISCLOSURE
STATEMENT**

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
BEING DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE
ADDRESSED TO THE ASSISTANT COMMISSIONER FOR
PATENTS, WASHINGTON, DC 20231 ON THIS 3 DAY OF
May, 2002.

SHERIDAN ROSS P.C.

BY: Cheryl Ross
Cheryl C. Rossum

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner.

Copies of the cited references:

☐ Are enclosed herewith.☒ Are not enclosed, in accordance with 37 C.F.R. 1.98(d), because the references were
submitted to the U.S. Patent and Trademark Office in prior application Serial No. 09/194,367
filed November 24, 1998, which is relied upon for an earlier filing date under 35 U.S.C. §
120.☐ To the best of applicants' belief, the pertinence of the foreign-language references are
believed to be summarized in the attached English abstracts and in the figures, although applicants do not
necessarily vouch for the accuracy of the translation.☒ Examiner's attention is drawn to the following co-pending applications:

Serial No. 09/194,367 filed November 24, 1998

Serial No. 09/770,838 filed January 26, 2001

Serial No. 09/820,584 filed March 28, 2001

It is respectfully requested that the Examiner also consider the Information Disclosure Statement filed
in the present patent application on March 29, 2002.Submission of the above information is not intended as an admission that any item is citable under the
statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in
the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should

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GROUP 3600

an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

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|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <p>No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is being filed:</p> <p><input checked="" type="checkbox"/> within three months of the filing date of a Request for Continued Examination (RCE) or date of entry into the national stage of an international application or</p> <p><input type="checkbox"/> before the mailing date of a first Office Action on the merits, whichever occurs last. 37 C.F.R. 1.97(b).</p> <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970</p> |
| <input type="checkbox"/> | <p>The information disclosure statement transmitted herewith is being filed after three months of the filing date of this national application or the date of entry of the national stage as set forth in 37 C.F.R. 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever occurred last but before the mailing date of either:</p> <p>(1) a final action under 37 C.F.R. 1.113 or</p> <p>(2) a notice of allowance under 37 C.F.R. 1.311,</p> <p>whichever occurs first. This Information Disclosure Statement is accompanied by:</p> <p><input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p> <p>OR</p> <p><input type="checkbox"/> A check in the amount of \$240.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please contact the undersigned for any fee discrepancies.</p> |
| <input type="checkbox"/> | <p>This Information Disclosure Statement is being submitted after the mailing date of a final action under § 1.113 or a notice of allowance under § 1.311, but before payment of the issue fee.</p> <p><input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e)</p> <p>AND</p> <p><input type="checkbox"/> Applicants hereby petition for consideration of the references disclosed herein. Enclosed is a petition fee in the amount of \$130.00 under 37 C.F.R. 1.17(j)(1). Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.</p> |



Applicant elects to pay the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement, and the enclosed check includes \$240.00 for payment of such fee. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.

Certification (37 C.F.R. 1.97(e))
(Applicable only if checked)

☐ The undersigned certifies that:

☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

☐ A copy of the communication from the foreign patent office is enclosed.

OR

☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

SHERIDAN ROSS, P.C.

By: 

Dennis J. Dupray, Ph.D.
Registration No. 46,299
1801 Belvedere Street
Golden, Colorado 80401
TELEPHONE: 303-863-2975

Date: MAY 3 2002

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|---|--|---------------------------------|--------------------------|
| FORM PTO-1449 | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTY. DOCKET NO. 1005-DJD | SERIAL NO. 09/176,587 |
| INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | | APPLICANT DUPRAY | |
| <i>duplicate of IDS filed on 5/13/02</i> | | FILING DATE October 21, 1998 | GROUP ART 3662 |

U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROP. |
|----------------------|---|--------------------|-----------|----------------|-------|--------------|---------------------------|
| | 1 | 6,108,555 | 8/22/2000 | Maloney et al. | 455 | 456 | |
| | 2 | 5,513,246 | 4/20/1998 | Jonsson et al. | 379 | 60 | |

FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRANSLATION | |
|--|--|--------------------|------|---------|-------|--------------|-------------|----|
| | | | | | | | YES | NO |
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OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

| | |
|----|---|
| 3. | Christ, U.S. Provisional Patent Application Serial No. 80/038,037 Entitled "METHOD AND APPARATUS FOR TRACKING AND LOCATING PERSONNEL" filed February 7, 1997 |
| 4. | Maloney, U.S. Provisional Patent Application Serial No. 60/035,691 Entitled "ROBUST, EFFICIENT, LOCALIZATION SYSTEM" filed January 16, 1997 |
| 5. | Maloney, U.S. Provisional Patent Application Serial No. 60/017,269 Entitled "EFFICIENT, DISTRIBUTED, TIME DIFFERENCE LOCALIZATION SYSTEM" filed May 13, 1996 |
| 6. | U.S. Patent Application Serial No. 08/355,901 Entitled "MICR-MINIATURE EMERGENCY GEO-LOCATION BEACON SYSTEM FOR PERSONAL SECURITY", filed December 13, 1994 |
| 7. | Communication from U.S. Patent and Trademark Office Re: U.S. Patent Application No. 08/355,901 Paper from Examiner M. Blum of Group Art Unit 2202 |
| 8. | Communication from U.S. Patent and Trademark Office Re: U.S. Patent Application No. 08/355,901 Response from Examiner regarding communication filed on December 25, 1995 Dated July 23, 1996 |

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| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |

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| FORM PTO-1449 | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTY. DOCKET NO. 1005-OJD | SERIAL NO. 09/176,587 |
| INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) <i>duplicate of IDS filed 5/13/02</i> | | APPLICANT DUPRAY | |
| | | FILING DATE October 21, 1998 | GROUP ART 3862 |

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| 9. | Communication from U.S. Patent and Trademark Office Re: U.S. Patent Application No. 08/355,901 Examiner Interview Summary Record Dated: August 13, 1998 |
| 10. | Communication from U.S. Patent and Trademark Office Re: U.S. Patent Application No. 08/355,901 Office Action Summary Dated: March 14, 1997 |
| 11. | Communication from U.S. Patent and Trademark Office Re: U.S. Patent Application No. 08/355,901 Office Action Summary Dated: March 17, 1998 |
| 12. | Communication from U.S. Patent and Trademark Office Re: U.S. Patent Application No. 08/355,901 Office Action Summary Dated: June 24, 1998 |
| 13. | Communication from U.S. Patent and Trademark Office Re: U.S. Patent Application No. 08/355,901 Advisory Action Dated: August 11, 1998 |
| 14. | Communication from U.S. Patent and Trademark Office Re: U.S. Patent Application No. 08/355,901 Advisory Action Dated: September 9, 1998 |
| 15. | Communication from U.S. Patent and Trademark Office Re: U.S. Patent Application No. 08/355,901 Advisory Action Dated: October 9, 1998 |
| 16. | Communication from U.S. Patent and Trademark Office Re: U.S. Patent Application No. 08/355,901 Advisory Action Dated: November 4, 1998 |
| 17. | Ergon Proprietary; "Performance Analyses Brief: Microminiature Emergency Locator Systems (MELS)"; May 1996; |
| 18. | Loran; 1992; "Users Handbook 1992 Edition"; U.S. Coast Guard, Radionavigation Division; 28 pgs. |
| 19. | Newton; 1991; "The Near-Term Potential of Doppler Location"; John Hopkins APL Technical Digest; pgs. 16-31 |
| 20. | "ARGOS: Basic Description of the Argos System"; ARGOS; 7 pgs. |
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| EXAMINER | DATE CONSIDERED |
| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |

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